

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL BURNHART,

Plaintiff,

v.

ROBERT MASKO *et al.*,

Defendants.

Case No. C07-5045 FDB

ORDER DECLINING TO ADOPT
REPORT AND RECOMMENDATION
AND GRANTING EXTENSION OF
TIME TO AMEND COMPLAINT

The Magistrate Judge recommends this civil rights action be dismissed with prejudice for failure of Plaintiff to comply with the Court's order to file an amended complaint. The Plaintiff has filed a response requesting the Court grant Plaintiff an extension of time to file the amended complaint.

The Court, having reviewed Plaintiff's complaint, the Report and Recommendation of Magistrate Judge J. Kelly Arnold, Plaintiff's request for an extension of time, and the remaining record, does hereby find it appropriate to grant the Plaintiff an extension of time to cure his defective complaint. Accordingly, it is ORDERED:

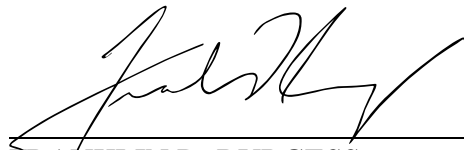
(1) The Court declines to adopt Report and Recommendation

1 (2) Plaintiff must file an amended complaint no later than July 6, 2007.

2 (3) The action is referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) and
3 Local Rules MJR 3 and 4 for further consideration.

4 (2) The Clerk is directed to send copies of this Order to Plaintiff, Magistrate Judge, J.
5 Kelly Arnold, and any other party that has appeared in this action.

6 DATED this 7th day of May, 2007.

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11 FRANKLIN D. BURGESS
12 UNITED STATES DISTRICT JUDGE
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